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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CHARLES DAVIS,  
Individually and on Behalf of  
All Others Similarly Situated,

Plaintiff,

v.

KATANGA MINING LIMITED,  
JOHNNY BLIZZARD, JACQUES  
LUBBE, MATTHEW COLWILL,  
ARISTOTELIS MISTADAKIS,  
LIAM GALLAGHER, TIM  
HENDERSON, IVAN  
GLASENBERG, and GLENCORE  
PLC,

Defendants.

Case No. 2:17-cv-12188-CCC-JBC

**NOTICE OF DEFENDANTS  
GLENCORE PLC'S AND  
IVAN GLASENBERG'S  
MOTION TO DISMISS THE  
CORRECTED FIRST AMENDED  
CLASS ACTION COMPLAINT  
AND REQUEST FOR ORAL  
ARGUMENT**

**Motion Day: September 8, 2020**

**PLEASE TAKE NOTICE** that on September 8, 2020, or as soon thereafter as counsel may be heard, defendants Glencore plc and Ivan Glasenberg (together, “Defendants”), by and through their counsel, shall move the Honorable Claire C. Cecchi, United States District Judge for the District of New Jersey, for an Order dismissing Plaintiffs’ Corrected First Amended Class Action Complaint for Violation of the Federal Securities Laws, dated July 22, 2020 (Dkt. 71), pursuant to Rules 9(b), 12(b)(2), and 12(b)(6) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4 *et seq.*, for lack of personal jurisdiction and for failure to state a claim upon which relief can be granted, and granting such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion to Dismiss, Defendants will rely on the accompanying Memorandum of Law, the accompanying Declarations of Ivan Glasenberg and John Burton, and the Memorandum of Law in Support of Defendants Katanga Mining Limited, Johnny Blizzard, Jacques Lubbe, Matthew Colwill, Liam Gallagher, and Tim Henderson’s Motion to Dismiss the Amended Complaint (Dkt. 76-1).

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that Defendants request oral argument.

Dated: July 31, 2020

Respectfully submitted,

/s/ Susan M. Leming  
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